

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

State of Minnesota by its Attorney  
General, Keith Ellison,

Plaintiff,

v.

Fleet Farm LLC (f/k/a Mills Fleet Farm  
LLC), Fleet Farm Group LLC (f/k/a Mills  
Fleet Farm Group LLC), and Fleet Farm  
Wholesale Supply Co. LLC (f/k/a Fleet  
Wholesale Supply Co. LLC),

Defendants.

Case No.: 22-CV-02694 (JRT/JFD)

**STIPULATION TO EXTEND THE  
DEADLINE TO ANSWER OR  
OTHERWISE RESPOND TO THE  
COMPLAINT**

Plaintiff State of Minnesota by its Attorney General, Keith Ellison (“Plaintiff”), and Defendants Fleet Farm LLC, Fleet Farm Group LLC, and Fleet Farm Wholesale Supply Co. LLC (“Defendants”) (collectively, the “Parties”) hereby stipulate and request that the Court extend Defendants’ deadline to answer or otherwise respond to the Complaint to November 23, 2022.

Good cause exists for the proposed extension, as set forth below:

1. Plaintiff served the Complaint on Defendants on October 5, 2022.
2. Defendants removed this case to federal court on October 26, 2022.
3. Pursuant to Fed. R. Civ. P. 81(c)(2), Defendants’ deadline to answer or otherwise respond to the Complaint is November 2, 2022.

4. The Parties have agreed to extend the deadline for Defendants to answer or otherwise respond to the Complaint until November 23, 2022.

5. Plaintiff intends to promptly file a motion to remand to state court because, in Plaintiff's view, there is no federal subject matter jurisdiction over this action. By agreeing to extend the deadline for Defendants to respond to the Complaint, Plaintiff does not consent to federal court jurisdiction or concede that there is federal court jurisdiction.

6. "Under Rule 6(b), '[w]hen an act may or must be done within a specified time, the court may, for good cause, extend the time . . . if a request is made, before the original time or its extension expires.'" *Seifert v. IMT Ins. Co.*, 542 F. Supp. 3d 874, 877 n.3 (D. Minn. 2021) (quoting Fed. R. Civ. P. 6(b)(1)). "[M]otions to extend are to be liberally permitted . . . to secure the just, speedy, and inexpensive determination of every action" and "will normally be granted absent bad faith or prejudice." *Id.* (quoting *Baden v. Craig-Hallum, Inc.*, 115 F.R.D. 582, 585 (D. Minn. 1987) and citing 4B Charles Alan Wright & Arthur R. Miller, Federal Practice and Procedure § 1165 (4th ed.)); *see also Ruszczyk as Tr. for Ruszczyk v. Noor*, 349 F. Supp. 3d 754, 767 (D. Minn. 2018) (stating the same).

7. Good cause exists for the extension of time to answer or otherwise respond to the Complaint. Counsel for Defendants have only recently been retained in this matter. In Defendants' view, additional time is also required for counsel to fully investigate and evaluate the Plaintiff's allegations and to prepare an appropriate response. In addition, several of Defendants' counsel have scheduling conflicts due to commitments and out-of-

state travel on other cases during the weeks of October 31 and November 7, which necessitate additional time to answer or otherwise respond to the Complaint.

8. The Parties therefore jointly request that the Court extend the deadline for Defendants to answer or otherwise respond to the Complaint to November 23, 2022.

Dated: November 1, 2022

Respectfully submitted,

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Attorney General  
State of Minnesota

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/s/ Katherine Moerke  
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*Attorneys for State of Minnesota*

Dated: November 1, 2022

/s/ Andrew W Davis

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